UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CYSTIC FIBROSIS PHARMACY, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 4:16-CV-01167-CEJ
	)	
EXPRESS SCRIPTS, INC.,	)	
	)	
Defendant.	)	

DEFENDANT'S MOTION TO DISMISS

Defendant Express Scripts, Inc. ("Express Scripts"), pursuant to Federal Rule of Civil Procedure 12(b)(6), moves to dismiss Counts II-VI and VIII of Plaintiff Cystic Fibrosis Pharmacy Inc.'s First Amended Complaint (Doc. 44), for the reasons set forth in Express Scripts' Memorandum in Support of Its Motion to Dismiss Plaintiff's First Amended Complaint, which is filed contemporaneously with this motion. Express Scripts fully incorporates its memorandum herein.

WHEREFORE, Express Scripts respectfully requests that this Court grant its motion to dismiss, and such other and further relief that this Court deems appropriate.

Dated: November 3, 2016

Respectfully submitted,

By: /s/ Sarah C. Hellmann

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 3rd day of November 2016, the foregoing was filed electronically with the Clerk of Court, and served on all counsel of record via electronic mail.

/s/ Sarah C. Hellmann